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 12 Nantong Schmidt Optoelectrical Technology Co. Ltd.,  
 Pacific Telescope Corp., Corey Lee, David Shen, Sylvia  
 13 Shen, Jack Chen, Jean Shen, Joseph Lupica, Dave Anderson,  
 Laurence Huen  
 14

15 **UNITED STATES DISTRICT COURT**

16 **NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

17 IN RE TELESCOPES ANTITRUST LITIGATION

Case No. 5:20-cv-03642-EJD

18 THIS DOCUMENT RELATES TO:

*Assigned for All Purposes to:  
Hon. Edward J. Davila*

19 AURORA ASTRO PRODUCTS, LLC, PIONEER  
 CYCLING & FITNESS, LLP; and those similarly  
 20 situated,

Plaintiffs,

21 vs.

22 CELESTRON ACQUISITION, LLC, SUZHOU  
 SYNTA OPTICAL TECHNOLOGY CO., LTD.,  
 23 SYNTA CANADA INT'L ENTERPRISES LTD.,  
 SW TECHNOLOGY CORP., OLIVON  
 24 MANUFACTURING CO. LTD., OLIVON USA,  
 LLC, NANTONG SCHMIDT OPTOELECTRICAL  
 TECHNOLOGY CO. LTD., NINGBO SUNNY  
 25 ELECTRONIC CO., LTD., PACIFIC TELESCOPE  
 CORP., COREY LEE, DAVID SHEN, SYLVIA  
 26 SHEN, JACK CHEN, JEAN SHEN, JOSEPH  
 LUPICA, DAVE ANDERSON, LAURENCE  
 27 HUEN, and DOES 1-50,

28 Defendants.

**DECLARATION OF JOSHUA S.  
 STAMBAUGH IN SUPPORT OF  
 CELESTRON ACQUISITION, LLC'S  
 MOTION FOR SUMMARY  
 JUDGMENT, OR IN THE  
 ALTERNATIVE, PARTIAL  
 SUMMARY JUDGMENT**

*[Filed concurrently with Notice of Motion  
 and Motion for Summary Judgment;  
 Separate Statement of UMF]*

Hearing:

Date: TBD

Time: TBD

Crtrm.: 4 (5th Floor)

Compl. Filed: June 1, 2020

Trial Setting Conference: May 8, 2025

Case No. 5:20-cv-03642-EJD

29 DECLARATION OF JOSHUA STAMBAUGH IN SUPPORT OF CELESTRON ACQUISITION, LLC'S MOTION  
 FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT

**DECLARATION OF JOSHUA S. STAMBAUGH**

I, Joshua S. Stambaugh, declare as follows:

3       1. I am an attorney licensed to practice before this Court, and am a partner with the law  
4 firm of FROST LLP, attorneys of record herein for Defendants Celestron Acquisition, LLC, Synta  
5 Technology Corp., Suzhou Synta Optical Technology Co., Ltd., Synta Canada Int'l Enterprises Ltd.,  
6 SW Technology Corp., Olivon Manufacturing Co. Ltd., Olivon USA, LLC, Nantong Schmidt  
7 Optoelectrical Technology Co. Ltd., Pacific Telescope Corp., Corey Lee, David Shen, Sylvia Shen,  
8 Jack Chen, Jean Shen, Joseph Lupica, Dave Anderson, and Laurence Huen (collectively,  
9 "Defendants"). I have personal knowledge of the facts stated herein and, if called upon to testify as  
10 a witness, I could and would competently testify thereto. I make this Declaration in support of  
11 Celestron Acquisition, LLC's Motion for Summary Judgment, or in the Alternative, Partial Summary  
12 Judgment, filed concurrently herewith.

13       2.     On February 28, 2025, my office met and conferred with counsel for Direct Purchaser  
14 Plaintiffs (“DPPs”) to discuss Defendants’ anticipated filing of motions for summary judgment for:  
15 (1) Corey Lee; (2) Jean Shen, Olivon Manufacturing Co. Ltd., and Olivon USA, LLC (together,  
16 “Olivon Defendants”); (3) Synta Technology Corp. (“Synta Taiwan”); (4) Synta Canada Int’l  
17 Enterprises Ltd. (“Synta Canada”); (5) SW Technology Corp. (“SW Technology”); (6) Pacific  
18 Telescope Corp. (“Pacific Telescope”); (7) Celestron Acquisition, LLC (“Celestron”); (8) Joe  
19 Lupica; and (9) Dave Anderson. Defendants explained the factual and legal grounds for each motion  
20 and invited DPPs to further meet and confer on how to potentially resolve any of the motions  
21 informally. The parties, however, were not able to resolve these motions before the Court’s  
22 dispositive motion deadline, thus requiring the filing of these motions.

23       3. Attached hereto as Exhibit A are true and correct copies of excerpts taken from the  
24 transcript of Dr. J. Douglas Zona's deposition in this case, dated December 20, 2024.

25       4. Attached hereto as **Exhibit B** are true and correct copies of excerpts taken from the  
26 transcript of the hearing on DPPs' Motion for Class Certification, dated September 5, 2024. The full  
27 hearing transcript was filed in this action as ECF No. 653.

28 5. Attached hereto as **Exhibit C** is a true and correct copy of Dr. J. Douglas Zona's

expert report, filed in this action as ECF No. 629-2, and later reproduced on November 1, 2024.

6. Attached hereto as Exhibit D is a true and correct copy of the partially sealed Mr. David P. Kaplan's expert report, filed in this action as ECF No. 623-2.<sup>1</sup>

7. Attached hereto as Exhibit E is a true and correct copy of an excerpt taken from the Direct Purchaser Plaintiff Aurora Astro Products, LLC's Objections and Responses to Synta Technology Corporation's Interrogatories, Set One, dated October 11, 2023.

8. Attached hereto as Exhibit F is a true and correct copy of an excerpt taken from the Direct Purchaser Plaintiff Pioneer Cycling And Fitness, LLP's Objections and Responses to Synta Technology Corporation's Interrogatories, Set One, dated October 11, 2023.

9. Attached hereto as Exhibit G is a true and correct copy of excerpts taken from Dr. J. Douglas Zona's trial transcript in the *Orion* case (*Optronic Technologies, Inc. v. Ningbo Sunny Electronic Co., Ltd.* (N.D. Cal. 5:16-cv-06370-EJD)), volume I, dated November 14, 2019.

10. Attached hereto as **Exhibit H** is a true and correct copy of an excerpt taken from Dr. J. Douglas Zona's deposition transcript in the *Orion* case, dated May 15, 2019.

11. Attached hereto as **Exhibit I** is a true and correct copy of an excerpt taken from Dr. J. Douglas Zona's expert report in the *Orion* case, dated January 3, 2019.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 7th day of March, 2025, at Los Angeles, California.



Joshua S. Stambaugh

<sup>1</sup> The Court previously granted Defendants' request to partially seal the Kaplan Report. (ECF No. 627.) For purposes of this Motion, Defendants rely solely on the unredacted portions and do not rely on any of the sealed, redacted portions of the Kaplan Report.